

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

**In re:**

**JILL I. FELDMAN,**

**Case No. 05-80118-sb  
Chapter 13**

**Debtor.**

**ORDER DISMISSING CASE WITH PREJUDICE**

EMC MORTGAGE CORPORATION, a secured creditor of Debtor, ("Secured Creditor") having moved this Court pursuant to 11 U.S.C. 105(a), 1307(c) and 1307(c)(1) for an Order dismissing the instant case *with prejudice* and permitting it to continue a foreclosure on the mortgage of premises commonly known as 62 Haven Lane, Levittown, NY 11756 (the "Premises"), and upon the affidavit of service duly filed demonstrating service of this motion upon the Debtors, Debtor's Attorney and the case Trustee; and the motion having come to be heard before this Court and no opposition having been interposed MICHEAL J. MACCO the Chapter 13 Trustee, by the U.S. TRUSTEE or JILL I. FELDMAN and due deliberation having been had it is hereby

**ORDERED**, that Secured Creditor's motion to ~~vacate the automatic stay and to~~ dismiss this case with prejudice is granted. ~~For purposes of this order, "prejudice" means that JILL I. FELDMAN and/or MATTHEW FELDMAN (collectively, the "Debtors") are prohibited from filing another petition for relief for 180 days (beginning on the date this order is entered on the docket) under Title 11 of the Bankruptcy Code. Within this 180 day period, the Debtors may file a motion to vacate or modify the terms of this order. In support of this motion, the Debtors must make a detailed showing under oath or affirmation that there has been a material improvement in the Debtors' ability to pay the current debt service and all arrearages with respect to any secured indebtedness under a confirmable chapter 13 plan. In bringing this motion, the Debtors must be represented by competent bankruptcy counsel.~~

Dated: Central Islip, New York  
April 11, 2005

S/ **STAN BERNSTEIN**  
Stan Bernstein  
Bankruptcy Judge